

Law Offices

Ralph W. Fusco, Esq.
2311 Genesee Street
Utica, New York 13501
315 724-3115

February 21, 2012

Hon. Gary L. Sharpe
United States District Judge
James T. Foley US Court House
445 Broadway, Room 112
Albany, New York 12207

Re: Markel Insurance Company vs. John Lichorowic and Darlene Walters
11-cv-01347-GLS-ATB

Dear Judge Sharpe:

A motion for summary judgment in the above matter is pending before you and is now scheduled for determination on March 15, 2012. However, I have asked opposing counsel if we could reschedule this motion for April 5, 2012. I explained to counsel that I am presently out of my office and that I did not have at hand the necessary scanning ability that I would need to submit by February 27. Gerald Greenberger, Esq., of the Rubin, Fiorella & Friedman firm, the attorneys for the plaintiff, has consented to this rescheduling. I represent the defendants, John Lichorowic and Darlene Walters.

I would therefore respectfully request that the motion now returnable on March 15, 2012, be rescheduled to April 5, 2012 for determination. I understand that in this event, I would be required to submit responses by March 17, 2012 and that Mr. Greenberger's firm would have until March 24, 2012 for any sur reply.

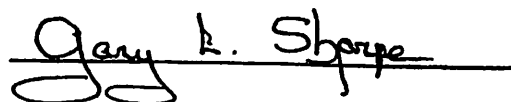
Thank your for your courtesies.

Very Truly Yours,

Ralph W. Fusco

Ralph W. Fusco, Esq.
RWF/lag
cc: Gerald Greenberger, Esq.
Rubin, Fiorella & Friedman, Esqs.
Attorneys for Markel

SO ORDERED:



Chief Judge, US District Court NDNY
Date: February 22, 2012